

# **LINCOLN PLANNING BOARD**

**JULY 23, 2008**

**APPROVED**

**The regular meeting of the Planning Board was held on Wednesday, July 23, 2008, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.**

**Vice Chairman Olean called the meeting to order at 7:04 p.m. The following members were present: Gerald Olean, Kenneth Bostic, John Hunt, Greg Mercurio, Jr., Michael Reilly, and Wilfred Ordonez. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand and Joelle C. Sylvia for the Town Solicitor. Russell Hervieux kept the minutes.**

**Chairman John Mancini was absent.**

**Vice Chairman Olean advised that six members were present; have quorum.**

## **CONSENT AGENDA**

**Vice Chairman Olean reminded members that consent agenda has six zoning applications and staff reports. A consent agenda is normally voted on in total unless a member motions to remove an item.**

**Motion was made by member Bostic to remove the Roland Montigny zoning application (AP 33 Lot 66) from the consent agenda was seconded by member Reilly. Motion was approved unanimously**

**Motion was made by member Bostic to accept the consent agenda as amended was seconded by member Hunt. Motion was approved unanimously.**

**Motion was made by member Bostic to amend the Planning Board agenda to have item 5b, Sables Road Subdivision, be the next item for consideration and was seconded by member Mercurio. Motion was approved unanimously.**

## **MAJOR SUBDIVISION REVIEW**

### **b. Sables Road Subdivision – Phase 1 AP 44 Lot 33 Preliminary Plan Extension**

**Leslie W. Sables Angell & Whipple Road**

**Mr. Ranaldi stated that this application is before the Board for a Preliminary Plan Extension. The applicant received an additional extension last year. The Town staff has been working with the applicant on the condominium documents and the water easement. The TRC reviewed their application and felt it was reasonable to allow an additional year extension.**

**John Mancini, attorney for the applicant spoke to the Board. The applicant is requesting an additional year to finalize legal documents. The process has taken longer than the applicant originally expected. Member Mercurio questioned whether anything has been done on the property to adversely affect the neighbors. Town Engineer N. Kim Wiegand explained that no construction has taken place as of yet.**

**Motion made by member Mercurio to approve a one year extension of the preliminary plan was seconded by member Hunt. Motion was approved unanimously.**

**Motion was made by member Bostic to amend the Planning Board agenda to have item 5a, Robertson Subdivision, be the next item for consideration and was seconded by member Reilly. Motion was approved unanimously.**

**a. Robertson Subdivision AP 23 Lot 4 Preliminary Plan**

**Robert & Jean Robertson Great Road Discussion/Approval**

**Mr. Ranaldi stated that the applicant is not present this evening. This application represents the subdivision of one lot into three residential lots. This project is classified as a major subdivision because a dimensional zoning variance is required for an existing house on the property. Zoning relief was granted at the July 8, 2008 meeting. The applicant has incorporated the recommendations of the Board into**

**the plans. The TRC recommends that this application move to a public hearing at the August 27, 2008 meeting.**

**Motion made by member Reilly to accept the TRC recommendation to move this application to a Public Hearing in August was seconded by member Hunt. Motion was approved unanimously.**

**c. Great Rd Estates (a.k.a. Meadow View) AP 29 Lot 3 Maintenance Bond**

**Meridian Real Estate Services, Inc. Great Road**

**Mr. Ranaldi stated that this application is before the Board for a maintenance/guarantee bond. The applicant has received preliminary plan approval and they are getting ready for final plan approval. The final plan approval was delegated to the Administrative Officer at the preliminary plan stage. The Town engineering department has been diligently watching the installation of the public improvements. The public improvements have been tested and improved. The Board required a thirty foot conservation easement along Great Road. The legal documentation is being worked out for this easement. The applicant is requesting a maintenance/guarantee bond. The Town Engineer has calculated that amount to be \$36,600.00 for granite bounds, street trees, loam and seed in the right-of-way and the final asphalt coat on the roadway.**

**Motion was made by member Hunt to accept the TRC**

recommendation of a \$36,600.00 maintenance/guarantee bond was seconded by member Mercurio. Motion was approved unanimously.

## **MAJOR LAND DEVELOPMENT REVIEW**

### **a. Marriott Residence Inn AP 31 Lots 12 Master Plan**

**MHI II, LLC 640 George Washington Hwy Discussion/Approval**

Mr. Ranaldi stated that a similar hotel project for this property came before the Board approximately one year ago. This application is from a new developer with a new proposal. This application is under the 2005 subdivision regulations representing the development of a 9.01 acre commercial lot. This application received a certificate of completeness on July 14, 2008 and the Board has until November 11, 2008 to make a decision. This application represents a 108 room extended stay hotel with amenities for someone staying for 7 – 10 days or longer. The proposed building will be four stories, 99,700 square feet, located on George Washington Highway. This application will require two zoning relief's. The first zoning relief required is a dimensional variance for the front yard setback. The second zoning relief required is a special use permit to allow a hotel in this area. The TRC has reviewed this plan and has a couple of concerns. The first concern is the public water service. Lincoln Water Commission has not approved this plan because of some complex existing and future issues. The TRC feels these issues need to be resolved at the master plan level. The other concern of the TRC

is traffic. This applicant has a new traffic engineer who will explain how this applicant will resolve traffic issues. The drainage has been shown as an underground infiltration system and the Town Engineer is happy with this design. The TRC feels that the applicant should address the concerns of public water and traffic but can move this application to a public informational meeting next month. A vote on master plan could be taken at the August meeting if the applicant has successfully addressed all concerns. Master plan approval is required for the applicant to be heard at zoning for the September meeting.

Member Mercurio questioned what happened to the previous proposal. Mr. Ranaldi stated that the previous developer had pulled out of the project. The previous proposal did not stop because of an action of this Board. Member Mercurio questioned whether this problem with public water existed on the previous project. Member Reilly explained that this issue existed with the last proposal also. Member Mercurio also questioned about a possible road cut in George Washington Highway for this project. Mr. Ranaldi stated that RIDOT would not allow that.

John Shekarchi, attorney for the applicant made a brief presentation to the Board. The intent of this applicant is to purchase 3 of the 9 acres as a land condominium. The hotel will be built on this 3 acre piece of land. This project will be asking for less dimensional relief than the previous proposal. This applicant will request a special use

permit from the Zoning Board. We will address the TRC concerns tonight and hopefully have resolutions by the next meeting. Mr. Ranaldi has told the applicant that if the traffic report is submitted prior to the next TRC meeting then master plan approval would be possible at the next meeting barring unforeseen circumstances. This project is currently scheduled to be heard by the Zoning Board on September 2, 2008.

Scott Lindgren, P.E. of PARE Corporation spoke representing MHI II, LLC. This application is for Assessors Plat 31 Lot 12 a 9.01 acre commercial parcel. The project is located in the front portion, approximately 3 acres, of this lot. This lot has frontage on George Washington Highway. There is an existing office building on this lot centrally located. The site is generally flat with slight slopes to the north and south. There are no wetlands on this site and all public utilities are available. The proposed project is for a Marriott Residence Inn with a gross floor area of 97,740 square feet. The footprint of this building will be just less than 25,000 square feet. The building will be four stories with a proposed height of 50 feet. The proposed project will have 108 extended stay units with an indoor pool and outdoor athletic courts. The access to this project will be off George Washington Highway from the existing private driveway. There are 120 parking spots provided for the hotel. The plan has been reviewed by the Albion Fire Department. The main concern is a fire access on the front, George Washington Highway side, of the building. A serviceable fire lane will be provided. The drainage from

**this project will be mitigated with two underground infiltration systems. Overflows from this drainage system will tie into the State drainage system on George Washington Highway. Public water is available to this project though there are issues that Lincoln Water Commission has brought forward. The applicant will address these concerns and modify the documents to make the necessary correction by next month. A formal traffic study is not completed yet but is being worked on. The traffic report will be ready by the next TRC meeting.**

**Motion was made by member Mercurio to move this application to a public informational meeting in August with the condition that the TRC will review the traffic study prior to this meeting and that the report will be presented at the public informational meeting was seconded by member Hunt. Motion was approved unanimously.**

## **ZONING APPLICATIONS**

**Roland Montigny, 59 Main Street, Albion, RI – Dimensional Variance seeking front and side yard setbacks for the construction of an addition on property located at 21 Ledge Way, Lincoln, RI.**

**AP 33, Lot 66 Zoned: RL-9**

**Mark Krieger, attorney for the applicant spoke to the Board. Mr. Krieger is here to address the negative recommendation made by the TRC regarding this application. The TRC felt the application was**



lacking sufficient information to make a positive decision. Attorney Krieger presented an information packet to the Board. This property is a prior non-conforming by dimension. The proposed addition will not encroach into the setback any further than what exists today. Mr. Ranaldi explained to the Board that the negative recommendation was given because the application did not explain why this addition was required. Attorney Krieger apologized to the Board that the application was not clear.

Roland Montigny of 59 Main Street, Albion addressed the Board. Mr. Montigny has lived in Albion for 70 years. Mr. Montigny is a builder by trade since 1960. The existing house was built in 1948. There is a pending purchase and sales agreement for this house. The addition requested will be used as a washroom and closet. This house is very small and has no basement. Mr. Montigny feels this is the easiest and cheapest area to expand the house to acquire these modern facilities. Several other houses in the area did this same type of addition.

Motion was made by member Mercurio to reverse the TRC findings and approve the recommendation for this application to zoning was seconded by member Hunt. Motion was approved unanimously.

## **COMPREHENSIVE PERMIT**

a. The Residences at Stone Creek AP 20 Lot 15 Master Plan

**Break Hill Development, Inc. Breakneck Hill  
Rd. Discussion/Approval**

**Mr. Ranaldi stated that this applicant has been before the Board twice already for this project. We left off last meeting with a few concerns. The concerns were traffic, integration of affordable units and sidewalks. The applicant has provided an updated waiver list which shows all waivers being requested for this project. This project is in a RS-20 zoning district. The applicant is requesting a waiver from this single family zone to put in multi-family attached housing units. The next waiver is from the density standard. Under the current zoning the most single family units allowed on this parcel would be 35 which include inclusionary units. This comes out to a density of 2.63 units per acre. The applicant is proposing a total of 70 units or 5.26 units per acre. This would be a density increase waiver of 2.63 units per acre. The rear yard setback is 50 feet in this district. The applicant is proposing a 25 foot rear yard setback which requires a waiver of 25 feet. The roadway pavement requirement is 30 feet. The applicant is proposing a 24 foot roadway which requires a waiver of 6 feet. The curbing requirement is granite and the applicant is proposing asphalt cape cod berms which require a waiver. The street centerline radius requirement is 150 feet and the applicant is proposing an 80 foot radius which requires a waiver of 70 feet. This waiver list will be attached to the new plans supplied tonight. The new plan has successfully integrated the affordable units into the project. The new plan has 26 duplexes and 6 triplexes. The new plan**

has included sidewalks at the Boards' request. The TRC feels that most of the concerns have been addressed. The applicant has brought a traffic engineer to this meeting to speak of the traffic concerns.

John DiBona, attorney for the applicant made a presentation to the Board. Attorney DiBona briefly went over waiver list and distinguished zoning waivers versus subdivision waivers. The traffic report has been updated per the Boards' request to include the traffic from YMCA.

Paul Bannon, of RAB Engineers presented the updated traffic report. At the last hearing the Board requested that the applicant meet with YMCA to include their traffic in our report. Mr. Bannon has met with representatives from YMCA along with their traffic engineer. Mr. Bannon obtained existing traffic information for YMCA. They are also conducting a traffic study in conjunction with an expansion project the YMCA is working on. Presently the YMCA has three points of access to Breakneck Hill Road. The YMCA gravel parking lot is approximately 75 feet to the west of our proposed project access. The one way entrance to the barn is approximately 200 feet west of our proposed project access. They also have a two way access road to the rear of their property which is over 300 feet away from our proposed project access. We analyzed those intersections at peak hours to integrate that into our proposed traffic on Breakneck Hill Road. The delay getting onto Breakneck Hill Road from this project

will be an added 0.3 seconds in the morning and 2 seconds in the late afternoon. The YMCA operates between 6:30 am to 8:00 pm presently. Four buses service the facility leaving at 7:45 am and come back within the hour and park. These buses leave at 4:00 pm. Bus traffic is minimal to that facility. As far as trip generations we use the ITE trip generation manuals and the most conservative rates. Mr. Bannon has included an independent study of an existing project of this nature at another location. This study showed that the rates in his original report are actually more than what was seen on a comparable development. The YMCA is still working on their traffic study and we will supply them with our information. Ms. Wiegand questioned whether the applicant has had discussions with RIDOT about the Rt. 146 intersections. Mr. Bannon replied that they have had discussions and RIDOT is presently in the design/study phase of upgrading these intersections. Signalization of some type is being reviewed for both ramp intersections but no decisions or timelines have been made. Member Mercurio commented that he would like to see more detail on traffic for special events that occur frequently at the YMCA.

Member Reilly questioned the density ratio on the waiver list. Mr. Ranaldi explained that the possible 28 single family homes allowed in the district was under perfect conditions on the buildable land. That does not mean it would be practical to be that many just possible on paper. Nicholas Pampiano, Professional Engineer for the applicant spoke on this issue. Mr. Pampiano stated that previous projects were

designed for septic systems and did not build out buildable land to the maximum. This lot has 14.9 acres of contiguous buildable land. The calculation would include the density bonus of inclusionary zoning minus the area for public facilities. Mr. Pampiano agrees with Mr. Ranaldi that a number very close to 28 house lots could be achieved under ideal conditions with public sewers. Mr. Ranaldi stated that the waiver list is designed to give the Board a feel for build out at maximum conditions.

Member Mercurio stated that he would like to see a listing of the public improvements to the Town and the value of these improvements. Member Mercurio would like this number in order to establish a cash bond requirement for the cost of these improvements. Mr. Ranaldi stated that these numbers are not required at the master plan stage which this application is at. Member Mercurio is concerned that the public improvement value equal or outweigh the waivers the Board would be granting. Ms. Sylvia stated that it is not proper to balance the value of waivers against public improvements. Member Mercurio again stated he feels strongly that these numbers need to be supplied for him to make a qualified decision on this project. Member Olean stated that this is a different kind of application from our normal subdivisions. This is a comprehensive permit and that has to be taken into consideration. Attorney DiBona stated his client will supply information but he understood that it would be at the preliminary plan stage. Member Mercurio restated that he wants to see a cash bond be posted to be

sure the public improvements will be completed. Mr. Ranaldi stated that if this project was approved the developer would have to do the public improvements, namely sewer upgrades, first.

Member Reilly questioned as to when the Board will see layout of the buildings to determine size and scale of affordable units versus the market rate units. Attorney DiBona replied that these drawings are still being worked on and the Board will receive them prior to preliminary plan.

Motion was made by member Mercurio to accept the TRC recommendations that the applicant return at the August meeting was seconded by member Hunt. Motion was approved unanimously.

## **SECRETARY'S REPORT**

The Board was given one set of minutes to review. They are for June 25, 2008. The Town Planner Al Ranaldi stated that he has reviewed these minutes. The Board also has the minutes from May 28, 2008 meeting which were tabled at last months' meeting.

Motion made by member Mercurio to defer the Secretary's report for May 28, 2008 and June 25, 2008 to next months' meeting was seconded by member Reilly. Motion was approved unanimously.

Motion was made by member Reilly to adjourn which was seconded

**by member Ordonez at 8:34 pm. Motion was approved unanimously.**

**Respectfully submitted,**

**Russell Hervieux**